

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11047 OF 2006

06.06.2006

Between:

S.T.S.Raghavendra Chary, S/o.Rangacharyulu

... Petitioner

AND

The Assistant Commissioner of Endowments,
Mahabubnagar District
And another

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11047 OF 2006

ORDER:

The petitioner is resident of Mogiligidda village of Farooqnagar Mandal in Mahabubnagar District. He is aggrieved by the action of initiated by the first respondent to appoint a non-hereditary board of trustees under Section 15(3) of A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 (the Act, for brevity) for Sri Ranganayaka Swamy Temple situated in the village. The petitioner is son of late Rangacharyulu, who was declared to be the member belonging to the founder family. The petitioner therefore claims that under Section 17 of the Act, he has a right to be appointed as a member of the Board as well as Chairman of the Board. He apprehends that if the Assistant Commissioner appoints a member of the Board without including the petitioner as member of the founder family, he would suffer hardship especially when cases arising out of similar dispute are pending before the Deputy Commissioner of Endowments, Hyderabad.

After hearing the learned Counsel for the petitioner and learned Assistant Government Pleader for Endowments, this Court is of considered opinion that at this stage interference is not called for. However, this does not preclude the petitioner staking his claim for being appointed as member and Chairman of Board of Trustees of Sri Ranganayaka Swamy Temple in accordance with Section 17(1) of the Act, which confers a right on the member of the founder family for being appointed as member as well as Chairman of Board of trustees. The petitioner may approach the first respondent and file application for being appointed duly enclosing a copy of the proceedings of the Assistant Commissioner of Endowments dated 16.12.1998 whereby and whereunder the petitioner's father was declared as member of the founder family. As and when such application is made, the first respondent shall consider the same and pass appropriate orders before appointing Board of Trustees.

The writ petition, with the above observations and directions, is

accordingly disposed of. No costs.

(V.V.S.RAO, J)

June 06, 2006

NOTE:

Dispatch order copy by
07.6.2006.

(By order)

YS